

**UNDER
SEAL**

FILED FEB 25 15:40 PM 2011

UNITED STATES DISTRICT COURT

DISTRICT OF OREGON

PORTLAND DIVISION

UNITED STATES OF AMERICA

NO. CR

11-84-BR

v.

INDICTMENT

**DION MICHAEL McKINZY,
a.k.a. "Bang,"**

18 U.S.C. §§ 922(g)(1) and 924(a)(2)

Defendant.

**21 U.S.C. §§ 841(a)(1), 841(b)(1)(C) and
853**

UNDER SEAL

THE GRAND JURY CHARGES:

Count 1:

[Felon in Possession of a Firearm]

On or about February 16, 2011, in the District of Oregon, **DION MICHAEL
McKINZY, a.k.a. "Bang,"** defendant herein, having been previously convicted of a crime
punishable by imprisonment for a term exceeding one year, specifically:

- A. Failure to Perform Duties of Driver to Injured Persons, on or about May 6, 2009, in the Circuit Court of the State of Oregon for Multnomah County, Case Number 081235489;
- B. Assault in the Fourth Degree - Constituting Domestic Violence, on or about February 11, 2008, in the Circuit Court of the State of Oregon for Multnomah County, Case Number 071135319; and,
- C. Riot, on or about June 19, 2007, in the Circuit Court of the State of Oregon for Clackamas County, Case Number CR0700235,

did knowingly and unlawfully possess a firearm, to-wit: a Heckler and Koch, Model USP40, .40 caliber handgun, Serial Number 22-29034, which had previously been transported in interstate commerce; all in violation of Title 18, United States Code, Sections 922(g)(1) and 924(a)(2).

Count 2:
[Felon in Possession of a Firearm]

On or about February 9, 2011, in the District of Oregon, **DION MICHAEL McKINZY**, **a.k.a. "Bang,"** defendant herein, having been previously convicted of a crime punishable by imprisonment for a term exceeding one year, specifically:

- A. Failure to Perform Duties of Driver to Injured Persons, on or about May 6, 2009, in the Circuit Court of the State of Oregon for Multnomah County, Case Number 081235489;
- B. Assault in the Fourth Degree - Constituting Domestic Violence, on or about February 11, 2008, in the Circuit Court of the State of Oregon for Multnomah County, Case Number 071135319; and,

C. Riot, on or about June 19, 2007, in the Circuit Court of the State of Oregon for Clackamas County, Case Number CR0700235, did knowingly and unlawfully possess a firearm, to-wit: a Mossberg, Model 500A, 12 gauge shotgun, Serial Number L036318, which had previously been transported in interstate commerce; all in violation of Title 18, United States Code, Sections 922(g)(1) and 924(a)(2).

Count 3:
[Distribution of Heroin]

On or about February 9, 2011, in the District of Oregon, **DION MICHAEL McKINZY**, a.k.a. "**Bang**," defendant herein, did knowingly and intentionally distribute a quantity of heroin, a Schedule I controlled substance, all in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C).

Count 4:
[Distribution of Cocaine]

On or about February ²²~~9~~, 2011, in the District of Oregon, **DION MICHAEL McKINZY**, a.k.a. "**Bang**," defendant herein, did knowingly and intentionally distribute a quantity of cocaine, a Schedule II controlled substance, all in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C).

Count 5:
[Distribution of Heroin]

On or about January 29, 2011, in the District of Oregon, **DION MICHAEL McKINZY**, a.k.a. "**Bang**," defendant herein, did knowingly and intentionally distribute a quantity of heroin, a Schedule I controlled substance, all in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C).

Count 6:
[Felon in Possession of a Firearm]

On or about January 29, 2011, in the District of Oregon, **DION MICHAEL McKINZY**, **a.k.a. "Bang,"** defendant herein, having been previously convicted of a crime punishable by imprisonment for a term exceeding one year, specifically:

- A. Failure to Perform Duties of Driver to Injured Persons, on or about May 6, 2009, in the Circuit Court of the State of Oregon for Multnomah County, Case Number 081235489;
- B. Assault in the Fourth Degree - Constituting Domestic Violence, on or about February 11, 2008, in the Circuit Court of the State of Oregon for Multnomah County, Case Number 071135319; and,
- C. Riot, on or about June 19, 2007, in the Circuit Court of the State of Oregon for Clackamas County, Case Number CR0700235,

did knowingly and unlawfully possess a firearm, to-wit: a Sig Sauer, model P232 SL, .380 caliber handgun, Serial Number S200118, which had previously been transported in interstate and foreign commerce; all in violation of Title 18, United States Code, Sections 922(g)(1) and 924(a)(2).

Count 7:
[Distribution of Heroin]

On or about January 8, 2011, in the District of Oregon, **DION MICHAEL McKINZY**, **a.k.a. "Bang,"** defendant herein, did knowingly and intentionally distribute a quantity of heroin, a Schedule I controlled substance, all in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C).

Count 8:
[Distribution of Heroin]

On or about December 30, 2010, in the District of Oregon, **DION MICHAEL McKINZY, a.k.a. "Bang,"** defendant herein, did knowingly and intentionally distribute a quantity of heroin, a Schedule I controlled substance, all in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C).

Criminal Forfeiture Allegation:
[Narcotics Offense]

Upon conviction of a controlled substance offense listed above in Counts 3, 4, 5, 7 and 8, **DION MICHAEL McKINZY, a.k.a. "Bang,"** defendant herein, shall forfeit to the United States pursuant to Title 21, United States Code, Section 853, any property constituting or derived from, proceeds obtained, directly or indirectly, as a result of the said violations and any property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of the said violations.

DATED this 24 day of February 2011.

A TRUE BILL.

OFFICIATING FOREPERSON

Presented by:

DWIGHT C. HOLTON, OSB # 09054
United States Attorney
District of Oregon



SCOTT M. KERIN, OSB # 965128
Assistant United States Attorney